

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

ELIGAH DARNELL, Jr.,	§	
Petitioner,	§	
	§	
VS.	§	CIVIL ACTION NO.4:05-CV-452-Y
	§	
DOUGLAS DRETKE, DIRECTOR,	§	
T.D.C.J., Correctional	§	
Institutions DIV.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Eligah Darnell Jr. under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on July 14, 2005; and
3. The Petitioner's written objections to the proposed findings, conclusions and recommendation of the United States magistrate judge filed on July 29, 2005.

The Court, after de novo review, concludes that Petitioner's objections must be overruled, and that the petition for writ of habeas corpus should be dismissed for the reasons stated in the magistrate judge's findings and conclusions.<sup>1</sup>

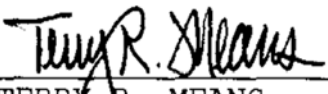
It is therefore ORDERED that the findings, conclusions, and recommendation of the magistrate judge should be, and are hereby, ADOPTED.

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<sup>1</sup>Darnell is a frequent filer in this Court. In this case, the successive petition for writ of habeas corpus under 28 U.S.C. § 2254 challenges the March 1989, judgment adjudicating guilt for unlawful possession of a prohibited weapon on the premises of a school in case number 0333956W before the Criminal District Court Number 2 of Tarrant County, Texas.

It is further ORDERED that Darnell's Petition for Writ of Habeas Corpus be, and is hereby, DISMISSED WITHOUT PREJUDICE to his right to file a motion in the United States Court of Appeals for the Fifth Circuit for leave to file a successive petition.

SIGNED August 8, 2005,

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE